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FEC MAIL CENTER

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July 22, 2013

BY HAND DELIVERY

Jeff S. Jordan, Esq.
Supervising Attorney
Complaints Examination & Legal Administration
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 6734

Dear Mr. Jordan:

I am writing on behalf of my client Vincent Mai in response to your letter of May 14, 2013. Mr. Mai previously requested and received an extension to respond and subsequently submitted a Statement of Designation of Counsel. Copies of those documents are enclosed.

The complaint filed in this matter alleges that Mr. Mai and many other individuals exceeded the biennial federal contribution limit during the 2011-2012 election cycle. The complaint suggests that Mr. Mai contributed \$58,750 to federal candidates during the period in question.

In response to the complaint, Mr. Mai has retained my firm, DLA Piper, to review contributions made by Mr. Mai and his wife Anne during the 2011-2012 cycle, to recommend steps to address any inadvertent, excessive contributions, and to establish procedures to ensure future compliance with the law.

We have reviewed both FEC filings and Mr. and Mrs. Mai's own records of contributions made during the election cycle. It appears that all contributions made by Mr. and Mrs. Mai were made by check from a joint account held by the couple. The names of both Mr. Mai and Mrs. Mai appear on each check. In most cases, however, the checks were signed only by Mr. Mai. In a limited number of instances, both Mr. and Mrs. Mai were listed as joint contributors on contribution forms submitted to the recipient committees.

Comparing FEC records to copies of the checks and contribution forms, we believe that with respect to at least two contributions (one to a candidate committee, one to a joint fundraising committee), properly made joint contributions were inaccurately reported by the recipient committees as having been made by Mr. Mai alone. Those contributions should have been split



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between Mr. and Mrs. Mai, as the intent was clear in the signed statements that accompanied the checks.

Even accounting for these errors, however, it appears that Mr. Mai's contributions to federal candidates inadvertently exceeded by \$9,650 the biennial limit of \$46,200 in place for the 2011-2012 period. (Mrs. Mai's contributions to federal candidates totaled \$25,750 for the cycle.)

In addition, our review suggests that there were similar issues associated with contributions by Mr. and Mrs. Mai to party and political action committees. In one case, a joint contribution to a joint fundraising committee does not appear to have been attributed properly. Again, however, even taking into account that error, Mr. Mai's contributions to party and political action committees exceeded by \$19,100 the biennial limit of \$74,600.

Having inadvertently exceeded the limits, Mr. Mai has determined to seek certain refunds to bring him into compliance. In particular, Mr. Mai will:

- Seek a correction by Carmona for Arizona (or a refund, if necessary) in connection with a \$1,000 contribution dated 2/1/2012 that should have been attributed equally between Mr. and Mrs. Mai.
- Seek a refund of \$5,000 from Gillibrand for Senate in connection with a contribution of that amount dated 3/16/2011.
- Seek a refund of \$5,000 from Steve Israel for Congress in connection with contributions totaling that amount dated 3/16/2012.
- Seek a correction by the joint fundraiser participants in the Obama Victory Fund (or a refund, if necessary) in connection with a contribution dated 9/12/2011 that should have been attributed equally by the participants between Mr. and Mrs. Mai.
- Seek a refund of \$20,000 from the Democratic National Committee in connection with a contribution to the Obama Victory Fund dated 2/24/2012.

Mr. Mai is prepared to document these requests for the Commission and to provide evidence of the corrections and/or refunds.

Finally, Mr. and Mrs. Mai intend to adopt procedures, in consultation with counsel, to ensure that future contributions are properly attributed as joint contributions, where appropriate, and to ensure that total contributions do not exceed the biennial limits.



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Given the inadvertent nature of the excessive contributions, Mr. Mai's resolve to remedy the matter now, and his intent to guard against such errors in the future, we would urge that no further action be taken in this matter with respect to Mr. Mai. Alternatively, Mr. Mai would consider either pre-probable cause conciliation or alternative dispute resolution should the Commission conclude that one such approach is appropriate in this matter.

Should you have any additional questions regarding this matter, please do not hesitate to contact me.

Respectfully submitted,

DLA Piper LLP (US)

A handwritten signature in cursive script, appearing to read 'W. H. Minor'.

William H. Minor
Partner

Enclosures

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FEDERAL ELECTION COMMISSION

999 E Street, NW

Washington, DC 20463

STATEMENT OF DESIGNATION OF COUNSEL

Please use one form for each Respondent/Entity/Treasurer

FAX (202) 219-3923

MUR # 6734

NAME OF COUNSEL: William Minor

FIRM: DLA Piper

ADDRESS: 500 Eighth Street, NW

Washington, DC 20004

TELEPHONE- OFFICE (202) 799-4312

FAX (202) 799-5312

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

7/7/13
Date

Vincent Mai
Respondent/Agent-Signature

Title (Treasurer/Candidate/Owner)

NAMED RESPONDENT: VINCENT MAI

MAILING ADDRESS: _____
(Please Print)

Port Washington, NY 11050

TELEPHONE- HOME () - - -

BUSINESS (212) 702-0531

Information is being sought as part of an investigation being conducted by the Federal Election Commission and the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) apply. This section prohibits making public any investigation conducted by the Federal Election Commission without the express written consent of the person under investigation

Rev, 2006



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 12, 2013

VIA FIRST CLASS MAIL

Vincent Mai

Port Washington, NY 11050

RE: MUR 6734

Dear Mr. Mai:

This is in response to your letter dated June 6, 2013, which we received that day requesting a 30-day extension to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on or before July 22, 2013.

If you have any questions, please contact me on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 694-1650.

Sincerely,

A handwritten signature in cursive script that reads "Frankie D. Hampton".

Frankie D. Hampton, Paralegal
Complaints Examination and
Legal Administration

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